1103326-0546

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Lundberg et al.

RECEIVED CENTRAL FAX CENTER

Scrial No.

Applicants

: 09/646,852

MAR 0 5 2004

Filed

: September 22, 2000

For

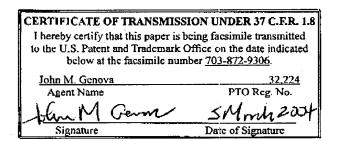
: NEW FORMULATION

Examiner

: DiNola-Baron

Group Art Unit

: 1615



Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 ATTENTION: Examiner DiNola-Baron

DATE: 5 March 2004 NUMBER OF PAGES: 3

FAX NUMBER: 703-872-9306

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. §1.191)

Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed September 8, 2004, of claims 1, 3-20 and 23-27. The item(s) below are appropriate:

1. STATUS OF APPLICANTS

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b), the fee for filing the Notice of Appeal is \$330.00.

| 3. | EXTENSION OF TERM | | | | |
|---|--|--|--|--|--|
| | The proceedings herein are for a patent application and the provisions of 37 C.F.R. $\S1.136$ apply. | | | | |
| | (a) Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1-4)) for the total number of months checked below: | | | | |
| | Extension (months) Fee for other than small entity | | | | |
| | ☐ one month \$110.00 | | | | |
| | two months \$420.00 | | | | |
| | Ithree months \$950.00 | | | | |
| | ☐ four months \$1,480.00 | | | | |
| | Fee \$ 950.00 | | | | |
| | If an additional extension of time is required, please consider this a petition therefor. | | | | |
| An extension for months has already been secured by the Amendmen Final, filed The fee paid therefor of \$ is deducted from fee due for the total months of extension now requested. | | | | | |
| | Extension fee due with this request \$950.00 | | | | |
| | or | | | | |
| | (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time. | | | | |
| 4. TO | TAL FEE DUE | | | | |
| | The total fee due is: | | | | |
| | Notice of Appeal fee \$ 330.00 | | | | |
| | Extension fee (if any) \$ 950.00 | | | | |
| | TOTAL FEE DUE \$ 1280.00 | | | | |
| | | | | | |
| 5. FE | E PAYMENT . | | | | |
| | Attached is a check in the sum of \$ | | | | |
| | (X) Charge Account No. 23-1703 the sum of \$ 1280.00. | | | | |
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| ۸. | EEE | DEF | TOTE | NCY |
| | | | | |

If any additional extension and/or fee is required, charge Account No. 23-1703.

AND/OR

☐ If any additional fee for claims is required, charge Account No. 23-1703.

Dated: March 5, 2004

Respectfully submitted,

John M. Genova Reg. No. 32,224

Attorney for Applicants

Customer No. 007470 (212) 819-8832